

MARCUS J. LEE (Nevada Bar No. 15769)  
E: [mlee@ohaganmeyer.com](mailto:mlee@ohaganmeyer.com)  
HOLLY E. WALKER (Nevada Bar No. 14295)  
E: [hwalker@ohaganmeyer.com](mailto:hwalker@ohaganmeyer.com)  
**O'HAGAN MEYER PLLC**  
5510 S. Fort Apache Road  
Las Vegas, Nevada 89148  
T: 725.485.3835

*Attorneys for CARDINAL PAINT & POWDER,  
INC.*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALBERTO AVALOS, JR., an individual,

*Plaintiff,*

vs.

CARDINAL PAINT AND POWDER, INC., a  
domestic corporation; and DOES I through X;  
and ROE CORPORATIONS I through X,  
inclusive,

*Defendants.*

Case No. 2:23-cv-00035-CDS-NJK

**STIPULATION TO EXTEND  
DEADLINE FOR DEFENDANT TO  
RESPOND TO PLAINTIFF'S FIRST  
AMENDED COMPLAINT**

**(FIRST REQUEST)**

Pursuant to LR 7-1, LR IA 6-1, and LR IA 6-2, Plaintiff ALBERTO AVALOS, JR. and Defendant CARDINAL PAINT AND POWDER, INC., by and through their respective counsel of record, hereby stipulate and agree that Defendant shall have an extension, up to and including July 31, 2023, in which to respond to Plaintiff's First Amended Complaint (ECF No. 32). This stipulation is submitted and based upon the following:

1. On June 26, 2023, Plaintiff filed his First Amended Complaint alleging racial harassment in violation of 42 U.S.C. § 1981. ECF No. 32.

1. Defendant's deadline to respond to Plaintiff's First Amended Complaint is July 17, 2023. *See* ECF No. 31, 2:24-25.

2. Defendant's attorney of record, Marcus Lee, is out of the country and will not be returning until July 27, 2023.

3. For the reasons set forth above, the parties stipulate that Defendant shall have up

1 to and including July 31, 2023 to respond to Plaintiff's First Amended Complaint (ECF No. 32).

2 4. This is the first request for an extension of time for Defendant to respond to  
3 Plaintiff's First Amended Complaint.

4 5. This stipulation is submitted in good faith and not for purposes of delay.

5 6. Nothing in this stipulation, nor the fact of entering to the same, shall be construed  
6 as waiving any claim and/or defense held by any party.

7 Dated this 17<sup>th</sup> day of July 2023.

8 MAIER GUTIERREZ & ASSOCIATES

O'HAGAN MEYER PLLC

9  
10 By: /s/ Danielle Barraza  
Jason Maier, Esq.  
11 Joseph A. Gutierrez, Esq.  
12 Danielle J. Barraza, Esq.  
8816 Spanish Ridge Avenue  
13 Las Vegas, Nevada 89148

By /s/ Holly E. Walker  
\_\_\_\_\_  
Marcus J. Lee, Esq.  
Nevada Bar No. 15769  
Holly E. Walker, Esq.  
Nevada Bar No. 14295  
5510 S. Fort Apache Road  
Las Vegas, Nevada 89148

14 ACKERMANN & TILAJEF, P.C.

*Attorneys for Defendant*

15 By: /s/ Craig Ackerman  
Craig J. Ackermann, Esq.  
16 Brian Denlinger, Esq.  
17 315 South Beverly Drive, Suite 504  
Beverly Hills, California 90212

18 *Attorneys for Plaintiff*  
19

20 **ORDER**

21 IT IS SO ORDERED:

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23   
UNITED STATES MAGISTRATE JUDGE

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25 Dated: July 18, 2023  
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